



Department of Justice

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DEFENDANT PLEADS GUILTY TO ALIEN SMUGGLING

Canadian Man Pleads Guilty to Smuggling Illegal Aliens into the United States Near Fort Covington, New York

January 6, 2012

[Plattsburgh, New York]—United States Attorney Richard S. Hartunian, United States Homeland Security Investigations Resident Agent in Charge, Rouses Point, Leroy Tario, and Border Patrol Agent in Charge, Burke, Michael Casey announced today that DONALD MURRAY GALLAHER, age 55, of Black Diamond, Alberta, pled guilty on January 5, 2012, to Alien Smuggling, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(i) and (a)(1)(B)(ii). GALLAHER pled guilty pursuant to a plea agreement in front of United States District Court Chief Judge Norman A. Mordue in Syracuse, New York.

GALLAHER was arrested on July 22, 2011, after he entered the United States through the Port Covington Port of Entry. Shortly after GALLAHER entered the United States, his two accomplices, Ross Brian James and John Duder, were detected after they illegally entered the United States. It was discovered that Ross Brian James was carrying loaded firearms, registered to GALLAHER, at the time of his arrest. John Duder pled guilty to misdemeanor Entry Without Inspection in violation of Title 8, United States Code, Section 1325, and was sentenced to time served on August 2, 2011, by Magistrate Judge Larry Kudrle in Plattsburgh, NY. Ross Brian James pled guilty to Illegal Importation of Firearms, in violation of Title 18, United States Code, Section 922(l), and is awaiting sentencing by United States District Court Judge David N. Hurd.

"Targeting smugglers is a top priority for Homeland Security Investigations," said Nick DiNicola, assistant special agent in charge of ICE HSI in Albany, N.Y. "As smugglers have shown time and time again, they have no qualms about putting our New York communities at risk by avoiding detection and scrutiny at our lawful ports of entry. Law enforcement will continue to aggressively pursue these individuals from Rouses Point to the Rio Grande Valley."

GALLAHER is scheduled to be sentenced on May 4, 2012, in Syracuse, New York. A conviction of Alien Smuggling carries a maximum sentence of ten (10) years imprisonment and a fine up to \$250,000. Judge Mordue ordered that the defendant remain in the custody of the United States Marshals pending sentencing.

The investigation was conducted by United States Homeland Security Investigations, Customs and Border Protection and United States Border Patrol from Burke, New York. The case is being prosecuted by the United States Attorney's Office for the Northern District of New York

Any questions may be directed to Assistant United States Attorney Julie S. Pfluger in Plattsburgh, New York at 518-314-7800.